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UNCLAS AMMAN 009521

SIPDIS

FOR CA/OCS/ACS/NESA

E.O. 12958: N/A

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SUBJECT: JUDICIAL ASSISTANCE - DEPARTMENT OF JUSTICE  
CRIMINAL INVESTIGATION OF SAMI KHOSHABA LATCHIN

REF: A) AMMAN 6983, B) STATE 169808

1. ON NOVEMBER 10, 2004, POST RECEIVED A DIPLOMATIC NOTE FROM THE JORDANIAN MINISTRY OF FOREIGN AFFAIRS (MFA), IN RESPONSE TO OUR DIPLOMATIC NOTE NUMBER 910 DATED AUGUST 10, 2004, CONCERNING THE DEPARTMENT OF JUSTICE'S REQUEST FOR ASSISTANCE IN A CRIMINAL INVESTIGATION (REF. B).

2. THE MFA NOTE INDICATED THAT THE CENTRAL BANK CANNOT PROVIDE SUCH ASSISTANCE BECAUSE ARTICLE 45 OF THE CENTRAL BANK LAW AND ARTICLES 72 AND 73 OF THE BANKS LAW ENFORCE COMPLETE SECRECY ON BANK ACCOUNTS. ADDITIONALLY, THERE IS NO JUDICIAL COOPERATION TREATY BETWEEN THE HASHEMITE KINGDOM OF JORDAN AND THE UNITED STATES OF AMERICA THAT ORGANIZES THE BASICS OF COOPERATION BETWEEN THE TWO PARTIES.

3. COMMENT: IN AN EFFORT TO IMPROVE THE TIMELINESS OF GOJ RESPONSES TO OUR DIP NOTE INQUIRIES, LEGATT HAS ESTABLISHED A TICKLER FILE SYSTEM TO CHECK WITH THE MINISTRY OF FOREIGN AFFAIRS EVERY 60 DAYS ON THE STATUS OF UNANSWERED INQUIRIES. REGARDING OBTAINING POSITIVE RESPONSES TO OUR REQUESTS, LEGATT, DOJ/OIA AND CHARGE HAVE HELD DISCUSSIONS WITH THE MINISTER OF JUSTICE AND THE MINISTER OF FOREIGN AFFAIRS TO EXPLAIN OUR LEGAL PROCESSES AND THE FACT THAT THE USG NEEDS RAPID -- AND AFFIRMATIVE -- RESPONSES FOR LAW ENFORCEMENT PURPOSES. THE MINISTER OF INTERIOR IS EXAMINING MATERIALS PROVIDED AND SHOULD PROVIDE A RESPONSE SOON. DOJ/OIA WILL BE COMING TO JORDAN IN JAN/FEB 2005 FOR FURTHER DISCUSSIONS WITH THE GOJ IN THIS REGARD.

HALE